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Hearing Date: October 24, 2011 at 10 a.m. (ET)  
Objection Deadline: October 17, 2011 at 4 p.m. (ET)

-and-

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Attorneys for Wells Fargo Bank, N.A.

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

DPH HOLDINGS CORP., et al.,  
  
Debtors.

Chapter 11

Case No. 05-44481 (RDD)

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**AFFIDAVIT OF MARK D. SILVERSCHOTZ IN SUPPORT OF  
MOTION OF WELLS FARGO BANK, N.A., SUCCESSOR TO  
WACHOVIA BANK, NATIONAL ASSOCIATION, UNDER  
RULE 60(B) OF THE FEDERAL RULES OF CIVIL PROCEDURE  
AND RULE 9024 OF THE FEDERAL RULES OF BANKRUPTCY  
PROCEDURE FOR RELIEF FROM THE ORDERS SEALING COMPLAINT  
AND EXTENDING TIME FOR SERVICE THEREOF**

I, Mark D. Silverschotz, being duly sworn, deposes and says:

1. I am a member of the firm Reed Smith LLP, attorneys for Wells Fargo Bank,  
N.A., successor by merger to Wachovia Bank, National Association and am a member of the Bar

of this Court. I submit this Affidavit in support of the *Motion of Wells Fargo Bank, N.A., Successor to Wachovia Bank, National Association, under Rule 60(b) of the Federal Rules of Civil Procedure and Rule 9024 of the Federal Rules of Bankruptcy Procedure for Relief from the Orders Sealing Complaint and Extending Time for Service Thereof* (the “Motion”).<sup>1</sup>

2. Annexed hereto as Exhibit A is a true and correct copy of the verified complaint in the United States District Court for the Eastern District of Michigan, Case No. 2-05-CV-73193.

3. Annexed hereto as Exhibit B is a true and correct copy of the Settlement Agreement.

4. Annexed hereto as Exhibit C is a true and correct copy of the relevant pages from the Transcript of the July 22, 2010 Hearing.

5. A copy of the Debtors’ Bankruptcy Rule 2002 service list, as of August 9, 2007, is filed at Docket No. 9039 and is available upon request.

6. A copy of the Affidavit of Service, dated August 10, 2007, regarding the Sealing Motion is filed at Docket No. 9039 and is available upon request.

7. A copy of the Affidavit of Service, dated August 23, 2007, regarding the Sealing Order is filed at Docket No. 9141 and is available upon request.

8. A copy of the Affidavit of Service, dated January 11, 2008, regarding the Disclosure Statement, Plan, and Confirmation Hearing Notice is filed at Docket No. 11974 and is available upon request.

9. A copy of the Affidavit of Service, dated January 12, 2008, regarding the Notice of Filing Plan Exhibits is filed at Docket No. 11977 and is available upon request.

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<sup>1</sup> Capitalized terms not herein defined are given the meaning ascribed to them in the Motion.

10. A copy of the Affidavit of Service, dated March 4, 2008, regarding the Second Extension Motion is filed at Docket No. 12970 and is available upon request.

11. Annexed hereto as Exhibit D is a true and correct copy of the relevant pages from the Transcript of the March 19, 2008 Hearing.

12. Annexed hereto as Exhibit E is a true and correct copy of the relevant pages from the Transcript of the April 30, 2008 Hearing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

/s/ Mark D. Silverschotz

Sworn to before me this  
30<sup>th</sup> day of September, 2011

/s/ Idalia M. Colladi  
Notary Public  
No. 02CO5042232  
Qualified in Queens  
Commission Expires April 20, 2015